| UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK | | |
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| MARLA BEHRMAN, Plaintiff, | : | Index No. 11-cv-3055 (JSR) |
| -against- PETER GRAYSON and MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED, | | MOTION FOR SUBSTITUTION OF COUNSEL FOR PLAINTIFF |
| Defendants. | : : : X | |

PLEASE TAKE NOTICE, that upon the accompanying Affirmation of Eric J.

Brenner dated December 9, 2011, Plaintiff will move this Court pursuant to Rule 1.4 of the Local Civil Rules of this Court for an Order substituting Boies, Schiller & Flexner LLP for The Law Offices of Stanley K. Shapiro as attorneys for record in this proceeding.

Dated: New York, New York December 9, 2011

BOIES, SCHILLER & FLEXNER LLP

By: /S/ Eric J. Brenner

Eric J. Brenner 575 Lexington Avenue New York, New York 10022 (212) 446-2300

Attorneys for Plaintiff